

APPLICATION FOR U.S. PATENT UNDER 37 C.F.R. § 1.53(b)  
TRANSMITTAL FORM

Mail Stop Patent Application  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Sir:

Docket No. 066303.0238



Transmitted herewith for filing is the patent application  
of:

Inventor or Application Identifier:  
Raymond L. Hogg

Entitled: SYSTEM AND METHOD FOR PERFORMING SUBSCRIBER LOOP  
TESTING IN AN OPTICAL NETWORK

Enclosed are:

- ☒ Specification (19 Total Pages)
- ☒ Drawings (1 Total Sheet of ☒ Formal ☐ Informal)
- ☒ 2 pages of An Assignment of the invention to  
General Bandwidth Inc. is attached.  
A separate cover sheet in compliance with 37  
C.F.R. § 3.28 and § 3.31 is included with an  
Assignment recordal fee of \$40.00 pursuant to  
37 C.F.R. § 1.21(h);
- ☒ Combined Declaration and Power of Attorney (2 Total Pages)
  - ☒ Newly executed (original or copy)
  - ☐ Copy from a prior application  
(for continuation/divisional only)
- ☐ Information Disclosure Statement (IDS) PTO-1449
  - ☐ Copies of IDS Citations.
- ☐ Preliminary Amendment
- ☒ Certificate of Mailing
- ☒ Return Receipt Postcard
- ☒ Other
  - ☒ Nonpublication Request Under  
35 U.S.C. 122(b)(2)(B)(i)

Applicant is:

☐ Large Entity  
☒ Small Entity  
    ☒ Small Entity Statement enclosed  
    ☐ Small Entity Statement filed in prior application.  
    Status still proper and desired.

The accompanying application is:

☒ Original  
☐ Continuation ☐ Divisional ☐ Continuation-In-Part  
(CIP) of prior application No..

This application claims the benefit of U.S. Provisional  
Application No. 60/507,923 filed October 1, 2003.

| FEE CALCULATION       |        |          |                 |          | FEE       |
|-----------------------|--------|----------|-----------------|----------|-----------|
|                       | Number |          | Number<br>Extra | Rate     | Basic Fee |
|                       |        |          |                 |          | \$ 385.00 |
| Total Claims:         | 20     | -20<br>= | 0               | X \$9 =  | \$ 00.00  |
| Independent<br>Claims | 3      | - 3<br>= | 0               | X \$43 = | \$ 00.00  |
| TOTAL FILING FEE =    |        |          |                 |          | \$ 385.00 |

☐ Please charge the filing fee of \$385.00 or any other fee  
required or credit any overpayment to Deposit Account No. 05-  
0765 of Electronic Data Systems Corporation.

Respectfully submitted,  
BAKER BOTTS L.L.P.  
Attorneys for Applicants



Charles S. Fish  
Reg. No. 35,870

November 18, 2003  
Correspondence Address:

☒ Customer Number or Bar Code Label **05073**

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|   |  |                      |   |
|---|--|----------------------|---|
| <b>NONPUBLICATION REQUEST<br/>UNDER<br/>35 U.S.C. 122(b)(2)(B)(i)</b> |  | First Named Inventor | Raymond L. Hogg   |
|   |  | Title                | SYSTEM AND METHOD FOR<br>PERFORMING<br>SUBSCRIBER LOOP TESTING IN AN<br>OPTICAL NETWORK |
|   |  | Atty Docket Number   | 066303.0238   |

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

November 18, 2003  
Date

BAKER BOTTS L.L.P.  
Attorneys for Applicant

  
Signature

Charles S. Fish  
Typed or printed name  
Reg No. 35,870

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant must notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

ATTORNEY DOCKET NO.  
066303.0238

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Raymond L. Hogg  
Date Filed: November 18, 2003  
Title: SYSTEM AND METHOD FOR PERFORMING  
SUBSCRIBER LOOP TESTING IN AN OPTICAL  
NETWORK

MAIL STOP PATENT APPLICATION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

CERTIFICATE OF MAILING BY EXPRESS MAIL

I hereby certify that the attached Patent Application (19 pages), including Specification, Claims, and Abstract), 1 sheet of Formal Drawings, Fee Transmittal Form, Declaration and Power of Attorney, Assignment Documents, Verified Statement Claiming Small Entity Status, Nonpublication Request Under 35 U.S.C. 122(b)(2)(B)(i) and two checks in the amounts of \$385.00 and \$40.00 and this Certificate of Mailing are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on this 18th day of November, 2003 and is addressed to the Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450..

  
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Willie Jiles

Express Mail Receipt  
No. EV 324624984 US